

# Rationale for the suggested elements for the GMTS

## Chemicals in Products Programme (CiP Programme)

Launched in 2015, this voluntary disclosure programme has the long-term aspirational goal for full information disclosure for all intentionally added chemicals in products, within and outside supply chains. The products covered are only manufactured products or articles; not cleaning, personal hygiene products, or cosmetics.

Information disclosure here implies that there is transparency about the identity, presence, and ideally concentration of chemicals in products.

Chemicals with the following hazard properties are included chemical scope of the programme and the first priority to disclose:

- Persistent, bioaccumulative and toxic (PBT)
- Very persistent, very bioaccumulative (vPvB)
- Carcinogens, mutagens, and toxic to reproduction (CMR)
- Endocrine disruptors (EDC)
- Toxic to the nervous system
- Other chemicals of concern

## Stockholm Convention on persistent Organic Pollutants

The Stockholm Convention covers the world's most hazardous chemicals known as Persistent Organic Pollutants (POPs) which have one or several hazard properties from the chemical scope of the CiP Programme. The Convention currently regulates 30 POPs, but does not include transparency requirements for their presence in products. The only decision on transparency has so far been made at the [Sixth Conference of Parties to the Convention](#). Parties agreed to label new building insulation containing Hexabromocyclododecane (HBCD) to provide a simple way for countries to know which products contain it. The report of the meeting inter alia states that countries "shall take necessary measures to ensure that expanded polystyrene and extruded polystyrene containing hexabromocyclododecane can be easily identified by labelling or other means throughout its life cycle".

Though the Convention includes Article 10 on Public Information, Awareness, and Education, it nevertheless, contains no formal transparency requirements for the chemicals it covers. The only exemption so far is for the flame retardant HBCD in recycled isolation materials.

In addition, for a few POPs, so called low POPs limits – maximum permissible concentrations – in waste and recycled materials are established or under the discussion. However, there is yet no discussion about formal transparency requirements.

Lack of transparency requirements under the Stockholm Convention undermines its implementation at the national level, as well as countries' efforts to safely reuse and recycle more materials in the future, which in turn requires transparency for the chemicals in the materials and products.

The proposed GMTS would support the Stockholm Convention by suggesting a disclosure thresholds for chemicals of global concern/particular concern, such as POPs, in products, thus facilitating international trade and contributing to the development of a safe and toxic free circular economy.

### [Basel Convention chemicals](#)

The convention regulates international trade in waste that contains hazardous chemicals with one or several hazard properties from the chemical scope of the CiP Programme, and partly overlaps with the chemicals under the Stockholm Convention on POPs. The Basel Convention chemicals are already recognized as chemicals of global concern by the world community.

International trade in waste will partly supply the demand for secondary raw materials for reuse and recycling. However, to keep hazardous chemicals out of the material cycles and ensure that reuse and recycle are safe to human health and the environment, transparency for chemicals of global concern/particular concern, such as Basel Convention chemicals, in materials and products is needed.

Recently trade with waste plastic polymers became regulated by the Basel Convention, and contamination of plastic waste with toxic additives – chemicals intentionally added to the plastics to give them specific properties – is under the discussion. When addressed, it will make the Basel Convention even more important for safe reuse and recycling of materials from waste in the future.

### [Minamata Convention on mercury](#)

The Minamata Convention regulates global phase out and eventual elimination of mercury and mercury compounds. No formal transparency requirement is in the convention.

Mercury and mercury compounds are recognized by the world community as chemicals of global concern. These compounds have one or several properties from the chemical scope of the CiP Programme.

Mercury may be present in some waste that could end up in the recycling sector, notably in e waste.

### [EU REACH Regulation](#)

The hazard properties of [Substances of Very High Concern \(SVHCs\)](#) under EU REACH Regulation fall within the chemical scope of the CiP Programme, and the SVHC list, therefore, supports the

CiP Programme. SVHCs are characterized with GHS hazard statements, and verified by the OECD standardized tests.

The SVHC list is a living list, and SVHC listed chemicals only allowed with special time-limited authorization in the EU. If an authorization is not renewed, an SVHC chemical gets a sunset date, after which it may enter the [EU REACH restriction list](#).

SVHCs are regionally recognized as chemicals of particular concern, but globally relevant, as many of them are now spread in an uncontrolled fashion with materials in international supply chains for products. Several countries use the EU REACH Regulations as a source of inspiration, or blueprint, for reforming their own national chemicals legislations.

SVHC chemicals under EU REACH Regulation must be disclosed at concentrations of 0.1% (weight/weight) and above in products and in individual components of a product and reported to the EU Chemicals Agency ECHA. The requirement covers products manufactured in the EU, imported to the EU, and even waste that could become secondary raw materials.

Product specific legislation in the EU sometimes have even lower thresholds for disclosure of certain SVHCs than 0.1% (weight/weight). In such cases, the product specific legislation takes precedence over the REACH SVHC rules. For example, the European Commission Regulation 2016/26 has added to [the Annex VII of the REACH Regulation](#) the [Nonylphenoethoxylate](#) (known as NPE). Since February 3<sup>rd</sup> 2021, products should comply to the restrictions set in the REACH Regulation. [The new threshold is strict, since it does not allow the presence of the substance over 0,01% of the total product.](#)

In 2021 ECHA database of Substances of Concern in Products ([SCIP](#)) will become operational with the goal to provide greater transparency of information to manufacturers, consumers, recyclers. The requirements are the same that all SVHC in concentrations of at least 0.1% by weight of all constituent components of products, including waste and waste materials traded to be reused or recycled must be reported to ECHA and will be included into the database. This transparency requirement targets all manufacturers in the EU, as well as importers of materials and products to be placed on the EU market.

### **[EU Restriction of Hazardous Substances in Electrical and Electronic Equipment \(RoHS Directive\)](#)**

The chemicals of the EU RoHS Directive have one or several of the hazard properties of the chemicals in the scope of the CiP Programme.

Although originally a regional regulation in the EU, the RoHS Directive has served as a blueprint for corresponding legislation for hazardous chemicals in electrical and electronic appliances in many countries.

The list of chemicals in the RoHS Directive is a living list and includes lead, mercury, cadmium, Hexavalent chromium, and polybrominated biphenyls. The restriction threshold is 0.1%

### Montreal Protocol of the Vienna Convention

The Montreal Protocol regulates the global phase out and eventual elimination of fluorinated and brominated hydrocarbons harmful to the ozone layer. These chemicals are already recognized as chemicals of global concern by the world community and have one or several properties from the chemical scope of the CiP Programme.

The Protocol, nevertheless, does not include formal transparency requirement which undermines safe handling of products and waste which may still contain hazardous chemicals regulated by the Protocol.

### International Agency for Cancer Research (IARC) list of carcinogens

This list may complement with additional carcinogens not covered by the chemical conventions, the REACH Regulation SVHC list, or the list in the EU RoHs Directive.

IARC is a WHO and UN research facility, and as such is globally recognized and credible.